

J. Russell Stedman (117130), rstedman@bargerwolen.com  
 Travis R. Wall (191662), twall@bargerwolen.com  
 BARGER & WOLEN LLP  
 650 California Street, 9th Floor  
 San Francisco, California 94108-2713  
 Telephone: (415) 434-2800  
 Facsimile: (415) 434-2533

David Freitas (82012), dfreitas@scif.com  
 STATE COMPENSATION INSURANCE FUND  
 1275 Market Street, 3rd Floor  
 San Francisco, California 94103-1410  
 Telephone: (415) 565-1260  
 Facsimile: (415) 703-7059

Attorneys for Plaintiff  
 STATE COMPENSATION INSURANCE FUND

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

STATE COMPENSATION INSURANCE  
 FUND,

Plaintiff,

vs.

METROPOLITAN WEST SECURITIES  
 LLC, a California limited liability company;  
 WACHOVIA BANK, N.A.; DOES 1 through  
 10 inclusive; and DOES 11 through 20  
 inclusive,

Defendants.

**CASE NO.: CV 09 2959 JSW**

**STIPULATION AND ~~PROPOSED~~ ORDER  
 CONTINUING MEDIATION DEADLINE,  
 TRIAL DATE, AND RELATED  
 DEADLINES**

Local Rule 6-2

**STIPULATION AND ~~PROPOSED~~ ORDER CONTINUING MEDIATION DEADLINE,  
 TRIAL DATE AND RELATED DEADLINES**

1 Plaintiff State Compensation Insurance Fund (“State Fund”) and Defendants  
 2 Metropolitan West Securities LLC and Wachovia Bank N.A. (collectively, “Wachovia”), through  
 3 their counsel of record, stipulate as follows:

#### 4 RECITALS

5 1. The Court’s case management orders currently provide the following deadlines:

6 Completion of mediation: April 30, 2010

7 Fact discovery cut-off: September 15, 2010

8 Expert discovery cut-off: November 8, 2010

9 Dispositive motion hearing date: January 21, 2011

10 Pretrial conference: March 7, 2011

11 Trial: March 28, 2011

12 2. The parties have exchanged electronic and hard copy productions and are diligently  
 13 pursuing fact discovery. The volume of electronic data is large. The parties are meeting and  
 14 conferring about the parameters for further production of electronically-stored information. The  
 15 parties anticipate substantially completing written and electronic discovery before commencing  
 16 depositions. Due to the complexity of the case and the number of documents involved, the parties  
 17 have not been able to complete sufficient discovery in order to have productive settlement  
 18 discussions at this time. The parties also believe that the current schedule does not allow sufficient  
 19 time for fact and expert discovery to prepare for dispositive motions and trial. Accordingly, the  
 20 parties request a short continuance of the mediation deadline, the trial date and corresponding case  
 21 management deadlines.

22 3. This is the parties’ first request for an extension of any of the foregoing deadlines.  
 23 The parties do not anticipate the need for further continuances.

#### 24 STIPULATION

25 The parties stipulate to the following revised mediation and case management schedule:

26 Completion of mediation: October 29, 2010

27 Fact discovery cutoff: February 4, 2011

28 Disclosure of experts and reports: February 14, 2011

Disclosure of rebuttal experts and reports: March 7, 2011  
Expert discovery cutoff: April 1, 2011  
Dispositive motion hearing date: June 10, 2011  
Final pretrial conference: July 25, 2011  
Trial: August 15, 2011

SO STIPULATED:

Dated: April 30, 2010

BARGER & WOLEN LLP

By: //s// Travis R. Wall  
J. RUSSELL STEDMAN  
TRAVIS R. WALL  
PETER FELSENFELD  
Attorneys for Plaintiff  
State Compensation Insurance Fund

Dated: April 30, 2010

MUNGER, TOLLES & OLSON

By: //s// James Ruten  
MARC DWORSKY  
JAMES RUTTEN  
ERIC TUTTLE  
Attorneys for Defendants  
Metropolitan West Securities LLC and  
Wachovia Bank, N.A.

**ORDER**

The parties, by and through their counsel of record, stipulated to the following ADR and case management schedule:

Completion of mediation: October 29, 2010

Fact discovery cutoff: February 4, 2011

Disclosure of experts and reports: February 14, 2011

Disclosure of rebuttal experts and reports: March 7, 2011

Expert discovery cutoff: April 1, 2011

Dispositive motion hearing date: June 10, 2011

Final pretrial conference: ~~July 25, 2011~~ August 1, 2011 at 2:00 p.m.

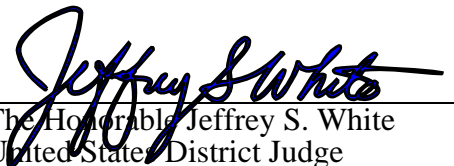
Trial: ~~August 15, 2011~~ August 22, 2011 at 8:00 a.m.

Satisfactory proof having been shown and good cause appearing,

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: May 3, 2010

By:

  
The Honorable Jeffrey S. White  
United States District Judge